



Attorney's Docket No. 14017-006001 / PSU 99-2157

1635  
#14  
KAY  
9-16-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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AUG 29 2002

TECH CENTER 1600/2900

Applicant : James Norris et al.

Art Unit : 1635

Serial No. : 09/548,449

Examiner : M. Schmidt

Filed : April 13, 2000

Title : TISSUE-SPECIFIC AND PATHOGEN-SPECIFIC TOXIC AGENTS AND  
RIBOZYMES

Commissioner for Patents  
Washington, DC 20231

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ORIGINALLY FILED

TRANSMITTAL LETTER

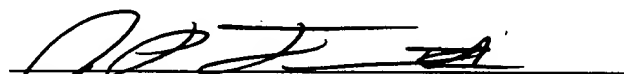
The following correspondence relating to this application is enclosed for filing:

1. Revocation and New Power of Attorney (MUSC Foundation for Research Development and The Penn State Research Foundation);
2. Revocation and New Power of Attorney (The Penn State Research Foundation and Medical University of South Carolina); and
3. Return Postcard.

Please date stamp and return the enclosed postcard. Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: August 16, 2002

  
J. Patrick Finn III, Ph.D.  
Reg. No. 44,109

Fish & Richardson P.C., P.A.  
60 South Sixth Street  
Suite 3300  
Minneapolis, MN 55402  
Telephone: (612) 335-5070  
Facsimile: (612) 288-9696  
60100030.doc

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit August 16, 2002

Signature Judith A. Wasilkus

Judith A. Wasilkus  
Typed or Printed Name of Person Signing Certificate



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REVOCATION AND NEW POWER OF ATTORNEY

Under 37 CFR §3.73(b), MUSC FOUNDATION FOR RESEARCH DEVELOPMENT, having a business address at 261 Calhoun St., Suite 305, Charleston, South Carolina 29425, together with THE PENN STATE RESEARCH FOUNDATION, is an assignee of record of the entire right, title and interest in the patent application identified above by virtue of an assignment recorded in the Patent and Trademark Office at Reel 011150, Frame 0203 on August 21, 2000 and an assignment executed JULY 12, 2002 (a copy of which is attached).

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the co-assignees identified above.

The undersigned, whose title is supplied below, is empowered to act on behalf of the MUSC FOUNDATION FOR RESEARCH DEVELOPMENT.

The undersigned, acting on behalf of the MUSC FOUNDATION FOR RESEARCH DEVELOPMENT, hereby revokes all powers of attorney previously granted in the application and appoints:

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

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Date of Deposit

August 16, 2002

Signature

Judith A. Wasilkus

Typed or Printed Name of Person Signing Certificate

JUDITH A. WASILKUS

Applicant : James Norris et al.  
Serial No. : 09/548,449  
Filed : April 13, 2000  
Page : 2

Attorney's Docket No.: 14017-006001

Janis K. Fraser, Ph.D., J.D., Reg. No. 34,819; John F. Hayden, Reg. No. 37,640; John W. Freeman, Reg. No. 29,066; Timothy A. French, Reg. No. 30,175; Anita L. Meiklejohn, Ph.D., Reg. No. 35,283; Mark S. Ellinger, Ph.D., Reg. No. 34,812; Richard J. Anderson, Reg. No. 36,732; Stuart Macphail, Ph.D., Reg. No. 44,217; J. Patrick Finn III, Ph.D., Reg. No. 44,109; Ronald C. Lundquist, Ph.D., Reg. No. 37,875; Monica McCormick-Graham, Ph.D., Reg. No. 42,600; M. Angela Parsons, Ph.D., Reg. No. 44,282; and Anton J. Bokal, IV, Ph.D., Reg. No. 51,243 all of Fish & Richardson PC., having an address at 225 Franklin Street, Boston, Massachusetts 02110-2804.

with full power of substitution and revocation, to prosecute the application and to transact all business in the United States Patent and Trademark Office connected therewith.

All correspondence regarding the application should be sent to:

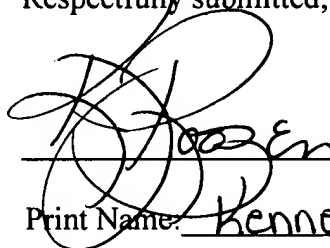
Janis K. Fraser, Ph.D., J.D.  
Fish & Richardson, P.C.  
225 Franklin Street  
Boston, Massachusetts 02110-2804

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Respectfully submitted,

Date:

JULY 15, 2002



Print Name:

Kenneth J. Rozen

Title:

Executive Director

UNIVERSITY TO FOUNDATION ASSIGNMENT

WHEREAS, Medical University of South Carolina, having a place of business at 171 Ashley Avenue, Charleston, SC 29425-2230, (hereinafter termed "Assignor"), owns the entire right, title, and interest in the inventions described below (hereinafter "Said Inventions,")

**TISSUE-SPECIFIC AND PATHOGEN-SPECIFIC TOXIC AGENTS AND RIBOZYMES**

for which a United States Patent Application Serial No.: 09/548,449, was filed on April 13, 2000, and

WHEREAS, MUSC Foundation for Research Development, having a place of business at 261 Calhoun St., Suite 305, Charleston, SC 29425, (hereinafter termed "Assignee"), is desirous of acquiring the Assignor's right, title and interest in and to Said Inventions, and in and to any and all patent applications, patents, inventor's certificates and other forms of protection (hereinafter termed "patents") thereon granted in the United States and foreign countries.

NOW, THEREFORE, in consideration of good and valuable consideration acknowledged by said Assignor to have been received from said Assignee, including the obligations of Assignee to Assignor contained in the Agreement between the Assignor and Assignee dated November 15, 2001:

1. Said Assignor does hereby, subject to the rights of the United States Government, if any, pursuant to 35 U.S.C. § 200 et seq., sell, assign, transfer and convey unto said Assignee the entire right, title and interest (a) in and to Said Inventions; (b) in and to all rights to apply for foreign patents on Said Inventions pursuant to the International Convention for the Protection of Industrial Property or otherwise; (c) in and to any and all applications filed and any and all patents granted on Said Inventions in the United States or any foreign country, including each and every application filed and each and every patent granted on any application which is a divisional, substitution, continuation, or continuation-in-part of any of said applications; and (d) in and to each and every reissue or extensions of any of said patents.

2. Said Assignor hereby covenants and agrees to cooperate with said Assignee to enable said Assignee, to enjoy to the fullest extent the right, title and interest herein conveyed in the United States and foreign countries. Such cooperation by the Assignor shall include prompt production of pertinent facts and documents, giving of testimony, execution of petitions, oaths, specifications, declarations or other papers, and other assistance all to the extent deemed necessary or desirable by the parties (a) for perfecting in said Assignee the right, title and interest herein conveyed; (b) for prosecuting any of said applications; (c) for filing and prosecuting substitute, divisional, continuing or additional applications covering Said Inventions; (d) for filing and prosecuting applications for reissuance of any said patents; (e) for interference or other priority proceedings involving Said Inventions; and (f) for legal proceedings involving Said Inventions and any applications therefore and any patents granted thereon, including without limitation reissues and reexaminations, opposition proceedings, cancellation proceedings, priority contests, public use proceedings, infringement actions and court actions.

3. The terms and covenants of this assignment shall inure to the benefit of said Assignee, its successors, assigns and other legal representatives, and shall be binding upon the Assignor, its successors, assigns and other legal representatives.

4. Said Assignor hereby warrants and represents that the Assignor has not entered and will not enter into any assignment, contract, or understanding in conflict herewith.

5. In the event that the Agreement between the parties dated November 15, 2001 is terminated, Assignee shall, pursuant to the Agreement, transfer in full the rights conveyed in this Assignment back to Assignor or Assignor's designee, subject to any rights of third parties, including license rights, prior sales or other dispositions existing at the time of termination of the Agreement.

12<sup>th</sup> IN WITNESS WHEREOF, said Assignor has executed and delivered this instrument to said Assignee this day of July, 2002.

MUSC FOUNDATION FOR RESEARCH  
DEVELOPMENT

By: [Signature]

Title: Executive Director

MEDICAL UNIVERSITY OF  
SOUTH CAROLINA

By: [Signature]

Title: Interim Provost

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Under 37 CFR §3.73(b), THE PENN STATE RESEARCH FOUNDATION, a non-profit corporation duly organized and existing under the laws of the Commonwealth of Pennsylvania, having a business at 304 Old Main Street, University Park, Pennsylvania 16802, together with the MEDICAL UNIVERSITY OF SOUTH CAROLINA, is an assignee of record of the entire right, title and interest in the patent application identified above by virtue of an assignment recorded in the Patent and Trademark Office at Reel 011150, Frame 0242 on August 18, 2000.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the co-assignees identified above.

The undersigned, whose title is supplied below, is empowered to act on behalf of THE PENN STATE RESEARCH FOUNDATION.

The undersigned, acting on behalf of THE PENN STATE RESEARCH FOUNDATION, hereby revokes all powers of attorney previously granted in the application and appoints:

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August 16, 2002  
Date of Deposit

JUDITH A. WASILUK  
Signature

JUDITH A. WASILUK  
Typed or Printed Name of Person Signing Certificate

Applicant : James Norris et al.  
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with full power of substitution and revocation, to prosecute the application and to transact all business in the United States Patent and Trademark Office connected therewith.

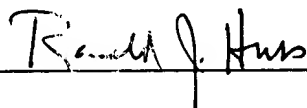
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Respectfully submitted,

Date: April 8, 2002

  
\_\_\_\_\_  
Print Name: Ronald J. Huss

Title: Director, Intellectual Property Office